

1 (Pages 1 to 4)

1	IN THE FIFTEENTH JUDICIAL CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA CASE NO.: 502006CA002638MBAD	1	SLAWSON CUNNINGHAM · WHALEN & GASPARI
2		2	2401 PGA Boulevard, Suite 140 Palm Beach Gardens, Florida 33410
3		3	Phone: (561)625-6260
4	SOUTHERN CONSTRUCTION SERVICES, INC., a Florida corporation,	4	ATTORNEYS FOR THE NON-PARTY ULMER BY: DAVID M. GASPARI, ESQUIRE
5	Plaintiff/Counterdefendant,	5	
6	v.	6	ALSO PRESENT: Sophie Carter, Video Specialist Domingo Castro
7		7	
8	TIARA CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, et al.,	8	
9		9	INDEX
10	Defendants/Counterclaimant/ Third-Party Plaintiff,	10	WITNESS DIRECT CROSS REDIRECT RECROSS
11	v.	11	LOUIS BRINDISI
12		12	By Mr. Telepman 5
13	DOMINGO CASTRO, THALLYGEE CASTRO, SLIDER ENGINEERING GROUP, INC., and BTEX ENGINEERING, INC.,	13	By Mr. Gaspari 230
14		14	
15	Third-Party Defendants.	15	
16		16	EXHIBITS
17		17	Deposition Exhibit 1 & 2 11
18		18	Deposition Exhibit 3 31
19	VIDEOTAPED DEPOSITION OF THE WITNESS, LOUIS BRINDISI, TAKEN BY THE PLAINTIFF/COUNTERDEFENDANTS ON FRIDAY, JANUARY 4, 2008	19	Deposition Exhibit 4 49
20		20	Deposition Exhibit 5 58
21		21	Deposition Exhibit 6-8 88
22		22	Deposition Exhibit 9 101
23		23	Deposition Exhibit 10 128
24		24	Deposition Exhibit 11 223
25		25	
1	Appearances:	2	
2		3	THE VIDEOTAPED DEPOSITION OF THE WITNESS,
3	COHEN, NORRIS, SCHERER, WEINBERGER & WOLMER, P.A.	4	LOUIS BRINDISI, TAKEN BY THE PLAINTIFF/THIRD-PARTY
4	712 U.S. Highway One, 4th Floor North Palm Beach, Florida 33408 Phone: (561)844-3600	5	DEFENDANTS, IN THE ABOVE-TITLED CAUSE, BEFORE PAMELA
5	ATTORNEYS FOR THE PLAINTIFF/COUNTERDEFENDANT BY: JAMES TELEPMAN, ESQUIRE	6	GRIMALDI, RPR, COURT REPORTER AND NOTARY PUBLIC,
6		7	STATE OF FLORIDA AT LARGE, AT 712 U.S. HIGHWAY ONE,
7	MCALPINE & ASSOCIATES, P.C. 3201 University Drive, Suite 100 Auburn Hills, MI 48326-2361 Phone: (248)373-3700	8	NORTH PALM BEACH, FLORIDA ON FRIDAY, JANUARY 4,
8	ATTORNEYS FOR THE DEFENDANTS/ COUNTERCLAIMANT/THIRD-PARTY PLAINTIFF BY: MATTHEW D. NOVELLO, ESQUIRE	9	2008, BEGINNING AT 9:30 A.M., PURSUANT TO THE NOTICE
9		10	HERETOFORE FILED.
10		11	THE VIDEOGRAPHER: This is the deposition of
11	MEUERS LAW FIRM, P.A. 5395 Park Central Court Naples, Florida 34109 Phone: (239)513-9191	12	Louis Brindisi in the matter of Southern
12	ATTORNEYS FOR THE DEFENDANTS/ COUNTERCLAIMANT/THIRD-PARTY PLAINTIFF BY: STEVEN E. NURENBERG, ESQUIRE	13	Construction Services versus Tiara Condominium
13		14	Association, Incorporated versus Domingo Castro, et al.
14		15	My name is Sophie Carter. I'm the video
15	ROBERTS, REYNOLDS, BEDARD & TUZZIO, P.A. 470 Columbia Drive Building C-101 West Palm Beach, Florida 33409 Phone: (561)688-6560.	16	specialist with Legal Video & Media. The court
16	ATTORNEYS FOR THE THIRD-PARTY DEFENDANT BTEX ENGINEERING BY: ERIC W. DEMING, ESQUIRE	17	reporter is Pam Grimaldi with Pinnacle Reporting.
17		18	Today is Friday, January 4, 2008 and the time is
18		19	9:33.
19		20	At this time will counsel please state their
20		21	appearances for the record?
21		22	MR. TELEPMAN: Jim Telepman representing
22	COLE, SCOTT & KISSANE, P.A. 2nd Floor 1645 Palm Beach Lakes Boulevard West Palm Beach, Florida 33401 Phone: (561)383-9202	23	Southern Construction Services and the Castros.
23	ATTORNEYS FOR THE THIRD-PARTY DEFENDANT SLIDER ENGINEERING BY: CHRISTOPHER B. HOPKINS, ESQUIRE	24	MR. NOVELLO: Matt Novello representing the
24		25	Tiara Condominium Association and the Tiara
25			

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561-820-9066

2 (Pages 5 to 8)

1	5	7
2	1	Q All right, sir. Do you still actively
3	2	practice law in the State of New York?
4	3	A Yes.
5	4	Q What is the main subject of your practice?
6	5	A Serious personal injury and wrongful death
7	6	cases.
8	7	Q Plaintiff's work?
9	8	A Plaintiff's.
10	9	Q Has that been the focus of your practice most
11	10	of your career?
12	11	A Yes.
13	12	Q Have you ever represented a plaintiff or a
14	13	defendant in a construction defect lawsuit?
15	14	MR. NOVELLO: Form of the question objection.
16	15	THE WITNESS: Yes.
17	16	BY MR. TELEPMAN:
18	17	Q How many times?
19	18	A Numerous.
20	19	Q Plaintiff, defendant, or both?
21	20	A Plaintiff. In New York we have what we call
22	21	the Labor Law. If you're injured on the job or
23	22	something of that nature, you can bring direct action
24	23	against the employer and against the contractor, and
25	24	those types of actions.
	25	Q So your involvement as a lawyer in
1	6	8
2	1	construction-related cases has been primarily limited
3	2	to cases on behalf of injured workers?
4	3	A Yes.
5	4	Q Not so much representing contractors versus
6	5	owners?
7	6	A No.
8	7	Q Have you ever been involved in a case
9	8	representing a contractor versus an owner or vice
10	9	versa?
11	10	MR. NOVELLO: Objection. Form.
12	11	THE WITNESS: I'm sure I have over the years.
13	12	BY MR. TELEPMAN:
14	13	Q Can you give us one example?
15	14	A I cannot.
16	15	Q All right. You're presently an owner of
17	16	multiple units at the Tiara Condominium?
18	17	A Yes.
19	18	Q When did you first purchase a unit in the
20	19	Tiara Condominium? Approximately.
21	20	A 1978.
22	21	Q So is it fair to say that you have
23	22	continuously been a unit owner at the Tiara since
24	23	approximately 1978?
25	24	A Yes.
	25	Q When did you obtain your second unit at the